### WARNING&NOTICE 2023 ANNUAL CITY MEETING

The legal voters of the City of Burlington, Vermont are hereby warned and notified to come and vote at the Annual City Meeting on

Tuesday, the 7<sup>th</sup> day of March, 2023

between 7:00 a.m. and 7:00 p.m. in their respective wards, at the voting places hereinafter named and designated as polling places, viz:

Ward One/East District:

Mater Christi School, 100 Mansfield Ave.

Ward Two/Central District:

H.O. Wheeler School (Integrated Arts Academy), 6 Archibald St. Ward Three/Central District: Lawrence Barnes School (Sustainability Academy), 123 North St.

Ward Four/North District:

Saint Mark's Youth Center, 1271 North Ave.

Ward Five/South District:

Burlington Electric Department, 585 Pine St.

Ward Six/South District:

Edmunds Middle School, 275 Main St.

Ward Seven/North District:

Robert Miller Community & Recreation Center, 130 Gosse Ct.

Ward Eight/East District:

Fletcher Free Library, 235 College St.

The polls open at 7:00 a.m. and close at 7:00 p.m. for the purpose of electing certain city officers as follows:

WARD ONE/EAST DISTRICT - one East District City Councilor for two-year term; one East District School Commissioner for two-year term; one Ward One Ward Clerk for two-year term; one Ward One Inspector of Election for three-year term; all terms beginning April 3, 2023

WARD TWO/CENTRAL DISTRICT – one Central District City Councilor for two-year term; one Central District School Commissioner for two-year term; one Ward Two Ward Clerk for two-year term, one Ward Two Inspector of Election for three-year term; all terms beginning April 3, 2023

WARD THREE/CENTRAL DISTRICT – one Central District City Councilor for two-year term, one Central District School Commissioner for two-year term; one Ward Three Ward Clerk for two-wear term; one Ward Three Inspector of Election for three-year term; all terms beginning April 3, 2023

WARD FOUR/NORTH DISTRICT - one North District City Councilor for two-year term; one North District School Commissioner for two-year term; one Ward Four Ward Clerk for two-year term; one Ward Four Inspector of Election for three-year term; all terms beginning April 3, 2023

WARD FIVE/SOUTH DISTRICT - one South District City Councilor for two-year term; one South District School Commissioner for two-year term; one Ward Five Ward Clerk for two-year term; one Ward Five Inspector of Election for three-year term; one Ward Five Inspector of Election for oneyear term all terms beginning April 3, 2023

WARD SIX/SOUTH DISTRICT - one South District City Councilor for two-year term; one

South District School Commissioner for two-year term; one Ward Six Ward Clerk for two-year term; one Ward Six Inspector of Election for three-year term; all terms beginning April 3, 2023

WARD SEVEN/NORTH DISTRICT – one North District City Councilor for two-year term; one North District School Commissioner for two-year term; one Ward Seven Ward Clerk for two-year term; one Ward Seven Inspector of Election for one year term all terms beginning April 3, 2023

WARD EIGHT/EAST DISTRICT – one East District City Councilor for two-year term; one Ward Eight City Councilor for one-year term; one East District School Commissioner for two-year term; one Ward Eight Ward Clerk for two-year term; one Ward Eight Inspector of Election for three-year term; one Ward Eight Inspector of Election for two-year term; all terms beginning April 3, 2023

The legal voters shall also vote upon five special articles being placed on the ballot by request of the City Council by Resolutions duly adopted and approved, two special articles made by petition of at least five percent of voters of the City of Burlington, and one special article being placed on the ballot by request of the Board of School Commissioners by action of the Commissioners duly approved, with all said special articles being as follows:

#### 1. APPROVAL OF SCHOOL BUDGET FOR FISCAL YEAR 2024

"Shall the voters of the school district approve the school board to expend \$104,144,584 which is the amount the school board has determined to be necessary for the ensuing fiscal year? It is estimated that this proposed budget, if approved, will result in education spending of \$21,325.14 per equalized pupil.

Spending at this level could produce a property tax rate increase of 4.03% (current estimate)."

# 2. IMPLEMENTATION OF A CARBON POLLUTION IMPACT FEE FOR NEW CONSTRUCTION AND LARGE EXISTING COMMERCIAL AND INDUSTRIAL BUILDINGS 50,000 SQUARE FEET OR LARGER

"Shall the City Council, in order to reduce greenhouse gas emissions in the City, be authorized starting January 1, 2024, to implement a carbon pollution impact fee in the permitting process, with the fee to be set by resolution starting at up to \$150 per ton and rising annually at the rate of regional inflation but capped at no more than a 5 percent annual increase, for:

- new construction buildings that install fossil fuel thermal energy systems instead of using renewable energy systems or renewable fuels, with the exception that the fee would not be implemented until January 1, 2026 for domestic water heating systems in new construction multi-family residential buildings with more than 4 units; and
- for existing commercial and industrial buildings 50,000 square feet or larger when the building is installing fossil fuel thermal energy space conditioning or domestic water heating systems instead of using renewable systems or renewable fuels?"

The fee proceeds could support one or more of the following: capital investments in converting the City is vehicle fleet to electric vehicles; a new City fund to support clean heating technology installations for low-income Burlington households and renters; and/or in the case of existing building payors, greenhouse gas emissions reductions projects at their building or facilities in Burlington.

### 3. PROPOSED CHARTER CHANGE RE WARD BOUNDARIES

"Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended be further amended to amend Article 2, City Election Areas Defined, thereto to read as follows:

### ARTICLE 2. CITY ELECTION AREAS DEFINED 2 Election boundaries.

- (a) City Districts Described. For the annual meeting of 20<del>15</del>24 and all City elections thereafter, the City of Burlington is divided into four electoral districts, constituted as follows:
  - East District. The East District shall include all that part of said City lying easterly and northerly of the following described boundaries: Beginning at the common boundary between the Cities of Burlington and Winooski in the Winooski River beneath the Central Vermont Railway bridge downstream of the Lower Winooski Falls and Salmon Hole; thence westerly in the centerline of said railroad tracks, crossing Intervale Road, and continuing for 1043.42 feet to a point where the centerline of Hyde Street extended northeasterly intersects said railroad track centerline (approximately -73.20456 longitude, 44.4912 latitude); thence southerly along the extension of the centerline of Hyde Street, continuing on the centerline of Hyde Street to the intersection of the centerline of North Willard Street; thence southerly along the centerline of North Willard Street to the intersection of the centerline of Pearl Street; thence westerly along the centerline of Pearl Street to the intersection of the centerline of South Winooski Avenue; thence southerly along the centerline of South Winooski Avenue to the intersection of the centerline of Maple Street; thence easterly along the Maple Street centerline for 1573.5 feet to a point where the eastern property boundary of 315 Maple Street extended northerly intersects Maple Street (approximately -73.2064 longitude, 44.4739 latitude); thence southerly along the eastern property boundary of 315 Maple Street for 276.5 feet (approximately -73.2064 longitude, 44.4734 latitude); thence 281.4 feet westerly to a point where the southern property boundary of 315 Maple Street extended westerly intersects with the western boundary of 251 South Willard Street extended northerly (approximately -73.2071 longitude, 44.4733 latitude), thence 723.7 feet 177° southerly to a point where it intersects the southern property boundary of 285 South Willard Street extended westerly (approximately -73.2071 longitude, 44.4719 latitude); thence easterly along the southern boundary of 285 South Willard Street for 696.5 feet until intersecting with the South Willard Street centerline (approximately -73.2051 longitude, 44.472 latitude); thence northerly along the South Willard Street centerline for 220.9 feet (approximately -73.2052 longitude, 44.4724 latitude); thence easterly along the southern property boundary of 262 South Willard Street for 557.6 feet (approximately -73.2037 longitude, 44.4725 latitude); thence northerly along the eastern property boundary of 262 South Willard Street for 89.6 feet to a point where the Juniper Terrace centerline extended westerly intersects the eastern property boundary of 262 South Willard Street (approximately -73.2037 longitude, 44.4726 latitude);

thence following the Juniper Terrace centerline easterly until intersecting with the Summit Street centerline (approximately -73.2021 longitude, 44.4727 latitude); thence northerly along the Summit Street centerline until reaching the centerline of Main Street; thence following the Main Street centerline easterly 2339.6 feet (approximately -73.1964 longitude.) 44.4753 latitude); thence southwesterly 214° for 136.1 feet (approximately -73.1966 longitude, 44.4751 latitude), thence southeasterly 98.2 feet (approximately -73.1964 longitude, 44.4749 latitude); thence southwesterly by 213° for 770 feet (approximately -73.1975 longitude, 44.4737 latitude); thence southeasterly by 123° for 477.4 feet until intersecting with the University Heights centerline (approximately -73.1964 longitude, 44.4732 latitude); thence southerly along the centerline of University Heights Road 1221.65 feet until intersecting with the PFG Road centerline, thence westerly by 79° until intersecting Main Street; thence easterly along the centerline of Main Street to the intersection of the western property line of 525 Main Street extended, containing the Main Street Water Reservoir (approximately -73.1992 longitude, 44.4763 latitude); thence southerly along the western property boundary of 525 Main Street to its southwestern corner approximately – 73.1991 longitude, 44.4746 latitude); thence easterly along the southern property boundary of 525 Main Street to its southeastern corner (approximately -73.1984 longitude, 44.4746 latitude); thence southwesterly along the western property boundaries of 49, 55, and 59 University Terrace to the southwestern corner of 59 University Terrace (approximately 73.1987 longitude, 44.4742 latitude); thence southeasterly along the southern property boundaries of 59 University Terrace and 60 University Terrace, extended to the centerline of University Heights Road (approximately -73.1964 longitude, 44.4732 latitude); thence southerly along the centerline of University Heights Road 1,314 feet to its intersection with the extended centerline of the walkway serving the University of Vermont Southwick Hall and the Music Building from the Redstone Campus loop road (approximately -73.1968 longitude, 44.4698 latitude); thence westerly along the extended walkway and walkway centerline, with the Music Building to the north and Southwick Hall to the south, 367 feet to its intersection with the centerline of the Redstone Campus loop road (approximately 73.1982 longitude, 44.4698 latitude); thence northerly and then westerly along the centerline of the Redstone Campus loop road to its intersection with the centerline of South Prospect Street: thence southerly along the centerline of South Prospect Street to its intersection with the centerline of the Davis Road; thence northeasterly along the centerline of Davis Road to its intersection with University Heights Road, continuing easterly along the centerline of Davis Road to its intersection with the common boundary between the Cities of Burlington and South Burlington.

(2) Central District. The Central District shall include all that part of the City bounded as follows: On the east, beginning at the common boundary between the City of Burlington and Town of Colchester in the Winooski River at the intersection of point intersecting with the centerline of Institute Road extended northeasterly (approximately -73.213947 longitude, 44.508977 latitude); thence southerly along the common boundary between the City of Burlington and Town of Colchester in the Winooski River to a point beneath the Central Vermont Railway bridge downstream of the Lower Winooski Falls and Salmon Hole; thence southerlywesterly along the East District northern western boundary to its intersection with the centerline of for 1043.42 feet to its intersection with the westerly boundary of the East District to its intersection with the centerline of Archibald Street, then southerly along the East District western

boundary to the intersection with the centerline of Pearl Street; thence westerly along the northern boundary of the East District to the intersection with the centerline of South Winooski Avenue; thence southerly along the western boundary of the East District to the centerline of King Main Street: thence westerly along the centerline of King Street until its intersection with the centerline of Pine Street; thence southerly along the Pine Street centerline until a point which intersects with the northern property boundary of 315 Pine Street extended easterly; thence westerly along the northern property boundary of 315 Pine Street to Lake Champlain (44.4706 latitude, -73.2152 longitude); continuing southerly along the centerline of South Winooski Avenue to its intersection with the centerline of King Street: on the south along the centerline of King Street extended westerly to Lake Champlain; on the west by Lake Champlain; on the north, beginning at the intersection of the common property boundary between 87 North Avenue and 9 Lakeview Terrace extended westerly to Lake Champlain (approximately -73,2252 longitude, 44,4832 latitude); thence northeasterly along the extended property boundary between 87 North Avenue and 9 Lakeview Terrace to its intersection with the centerline of the Central Vermont Railway railroad track (approximately -73.2239 longitude, 44.4837 latitude); thence northerly and easterly along the centerline of the Central Vermont Railway railroad track, crossing North Avenue and the Burlington Beltline, to its intersection with the centerline of Spring Street extended northwesterly (approximately -73.2183 longitude, 44.4912 latitude); thence northwesterly along the extension of the centerline of Spring Street to its intersection with the centerline of Institute Road extended northeasterly (approximately -73.2281 longitude, 44.4995 latitude); thence northeasterly along the extension of the centerline of Institute Road extended to its intersection with the common boundary between the City of Burlington and Town of Colchester in the Winooski River (approximately -73.2139 longitude, 44.5077 latitude).

- (3) South District. The South District shall include all that part of the City south of the southern boundaries of the East and Central Districts.
- (4) North District. The North District shall include all that part of the City north of the northern boundary of the Central District.
- (b) Wards Described. Each of the City of Burlington's four electoral districts set forth in subsection (a) of this section hereby comprises two wards, each of which is constituted as follows:
  - (1) East District Ward 1 and Ward 8.
  - (A) The East District is divided into two wards by the following boundary: Beginning at the center of the intersection of Pearl Street and South Willard Street; thence southerly easterly along the centerline of Colchester Avenue to the intersection of the centerline of Mary Fletcher Drive; thence southerly along the centerline of Mary Fletcher Drive for 331.58 feet (approximately -73.196 longitude, 44.4802 latitude); thence southerly along the western side and easterly along the southern side of the UVM Medical Center building for 1854.5 feet until a point at the center of the intersection of Beaumont Avenue and Mary Fletcher Drive (approximately -73.1932 longitude, 44.4788 latitude); thence south along the Beaumont Avenue centerline to the intersection of Carrigan Drive; thence following Carrigan Drive westerly for 199.1 feet (approximately -73.1932 longitude, 44.4756 latitude);

thence travelling southwesterly for 821.3 feet along the UVM service road on the eastern border the southeastern wing of UVM Jeffords Hall; thence northwesterly along the service road bordering the southern border of the southeastern wing of UVM's Jeffords Hall until a point at the intersection of the service road and the centerline of University Heights extended northeasterly (approximately -73.1947 longitude, 44.4751 latitude); thence southwesterly along the centerline of University Heights 977.3 feet (approximately -73.1962 longitude, 44.4735 latitude); thence continuing southeasterly along the centerline of the driveway bounding the western side of the UVM Living/Learning Commons for 404.3 feet (approximately -73.1952 longitude, 44.4731 latitude); thence continuing south along the eastern side of UVM's University Heights dorms until intersecting with the service road between University Heights North and University Heights South (approximately 44.4723) latitude, -73.1951 longitude); thence continuing easterly at 84 degrees for 589.72 feet until intersecting with of South Willard Street to the intersection of the centerline of College Street; thence easterly along the centerline of College Street extended to the intersection of the centerline of University Place; thence southerly along the centerline of University Place to the intersection of the centerline of Main Street; thence easterly along the centerline of Main Street to the common boundary between the Cities of Burlington and South Burlington.

- (B) Ward I lies to the north and east of the boundary described in subdivision (A) of this subdivision (1), and Ward 8 lies to the south and west.
- (2) Central District Ward 2 and Ward 3.
- (A) The Central District is divided into two wards by the following boundary: Beginning at the intersection of the common property boundary between 85 North Avenue and 9 Lakeview Terrace extended westerly to Lake Champlain (approximately -73.2252 longitude. -44.4832 latitude); thence northeasterly along the extended property boundary between 87 North Avenue and 9 Lakeview Terrace to its intersection with the centerline of the Central Vermont Railway railroad track (approximately -73.224 longitude, 44.4837 latitude); thence southeasterly along the centerline of the Central Vermont Railway railroad track to a point intersecting with the northwestern property boundary of 300 Lake Street extended southwesterly (approximately -73.2234 longitude, 44.4832 latitude); thence northeasterly to a point at the intersection of the northwestern property boundary of 300 Lake Street extended northeasterly with the centerline of Depot Street (approximately -73,2223 longitude, 44,4837 latitude); thence northerly along the centerline of Depot Street to the intersection with the centerline of Lakeview Terrace; Beginning at the centerline of the Central Vermont Railway railroad track at the intersection of the centerline of Spring Street extended northwesterly (approximately 73.2183 longitude, 44.4912 latitude); thence southerly easterly along the centerline of Spring StreetLakeview Terrace extended northwesterly until intersecting = continuing along the centerline of Spring Street to its intersection with the centerline of Elmwood North Avenue; thence southerly northerly along the centerline of Elmwood North Avenue to its intersection with the centerline of Pearl-North Street; thence easterly along the centerline of Pearl-North Street until intersecting with the North Union Street centerline; thence southerly following the North Union Street centerline until intersecting with the Loomis Street centerline; thence easterly along the Loomis street centerline to the intersection of the centerlines of Loomis Street and South Willard Avenue.to the intersection of the centerlines of North and South Winooski Avenue.

- (B) Ward 2 lies to the <u>east north</u> of the boundary described in subdivision (A) of this subdivision (2), and Ward 3 lies to the <u>westsouth</u>.
- (3) South District Ward 5 and Ward 6.
- (A) The South District is divided into two wards by the following boundary: Beginning at the intersection of the centerlines of King Street and Saint PaulChurch Street; thence southerly along the centerline of Church Street to the intersection with the centerline of Adams Street; thence westerly along the centerline of Adams Street to the intersection with the centerline of Saint Paul Street; thence southerly along the Saint Paul Street centerline along the centerline of Saint Paul Street to its intersection with the centerline of Shelburne Street; thence southerly along the centerline of Shelburne Street to its intersection with the centerline of Flynn Avenue; thence easterly along the centerline of Flynn Avenue extended easterly to the common boundary between the Cities of Burlington and South Burlington.
- (B) Ward 5 lies to the west of the boundary described in subdivision (A) of this subdivision (3), and Ward 6 lies to the east.
- (4) North District Ward 4 and Ward 7.
- The North District is divided into two wards by the following boundary: Beginning at the centerline of Institute Road extended southwesterly to Lake Champlain; thence northeasterly to the intersection of Institute Road with the centerline of North Avenue; Beginning at the intersection of the centerlines of North Avenue and the Central Vermont Railway railroad track; thence northerly along the centerline of North Avenue to its intersection with the centerline of Fairfield Drive; thence westerly along the centerline of Fairfield Drive to its intersection with the western property boundary of 39 Westward Drive extended southerly (approximately -73.2685 longitude, 44.5257 latitude); thence northerly along the western property boundaries boundary of 39 and 40 Westward Drive, until intersecting with the centerline of Westward Drive; thence southwesterly along the centerline of Westward Drive to the intersection with the Northshore Drive centerline; thence northerly along the Northshore Drive centerline until intersecting with the Clair Pointe Road centerline (point); continuing northerly along the western property boundaries of properties fronting the west side of Hardy Avenue to the southern boundary of 35 Derway Drive; thence westerly along the southern boundary of 35 Derway Drive, extended to its intersection with the centerline of Derway Drive (approximately 73.2690 longitude, 44.5249 latitude); thence northeasterly along the centerline of Derway Drive to its intersection with the centerline of Claire Pointe Drive; thence northerly along the centerline of Claire Pointe Drive approximately 44 feet to its intersection with the southern property boundary of the Claire Pointe condominium development; thence westerly along the southern property boundary of the Claire Pointe condominium development (approximately -73.2686 longitude, 44,5286 latitude) to the Waterfront Bike Path right of way approximately 537 feet (approximately 73.2707 longitude, 44.5253 latitude), and then extended to Lake Champlain.
- (B) Ward 4 lies to the west of the boundary described in subdivision (A) of this subdivision (4), and Ward 7 lies to the east.

- Ward map reference. Reference is also made to a map entitled "Ward Redistricting, 8 Wards 4 Districts, 12 Councilors, Requested Edits to December Map (City Edits v2), Map Date: January 20, 2023 Ward Redistricting, 8 Wards 4 Districts, 12 Councilors, Referred to City Council by CC Committee (v.3), Map Date: December 2, 2013" located in the Burlington Chief Administrative Officer's office in further aid of the description of the wards set forth in this subsection.
- \* Material underlined added.
- \*\* Material stricken out deleted.

### 4. CHARTER CHANGE RE REQUIREMENTS FOR LEGAL RESIDENT VOTERS WHO ARE NOT UNITED STATES CITIZENS

"Shall the Charter of the City of Burlington, Acts of 1949, No. 298, as amended, be further amended to add Section 8a, Requirements for legal resident voters who are not citizens, to Title II, Article 4, Qualifications of Voters, to allow legal residents who are not citizens of the United States but reside in the United States on a permanent or non-temporary basis in compliance with federal immigration laws to register as legal voters for City of Burlington and Burlington School District local elections, and to vote for local officers and on local public questions, provided such residents are at least 18 years of age, reside in the City of Burlington, and have taken the Voter's Oath?"

### 5. CHARTER CHANGE RE QUALIFICATIONS OF VOTERS AND SITING OF POLING PLACES

"Shall the Charter of the City of Burlington, Acts of 1949, No. 298, as amended, be further amended by amending Title II, Article 4, Qualifications of Voters, and Title II, Article 8, Method of Conducting Elections, to permit all legal voters residing in a ward or City district to cast a ballot for local officers and local public questions specific to the ward or City district at the time of casting the ballot, and to allow for the City Council, in conjunction with the City Clerk's Office and election officials, to: determine the number and location of polling places; locate polling places in each ward unless a more accessible facility is available outside the ward, which shall be in as close proximity as possible to the ward in which each over resides; and, if more than one polling place is located within the same building, to locate each polling place so that it is separate and distinct from the others?"

## 6. CHARTER CHANGE RE ABILITY TO USE RANKED CHOICE VOTING FOR THE ELECTION OF MAYOR, SCHOOL COMMISSIONERS AND WARD ELECTION OFFICERS

"Shall the Charter of the City of Burlington, Acts of 1949, No. 298, as amended, be further amended by amending Title II, Section 5, Election to be by ballot; method of election; runoff elections, to adopt ranked choice voting for the elections of Mayor, school board commissioners, and ward election officers?"

Pursuant to 17 V.S.A. § 2645, the following two proposals to amend the Charter of the City of Burlington, Acts of 1949, No. 298, as amended, are made by petition of at least five percent of voters of the City of Burlington. Official copies of the proposals were received by the City Clerk on December 8, 2022. Public hearings were held on January 17, 2023 and January 23, 2023. As required by 17 V.S.A. § 2645(a)(5)(A), the City Council does not have the authority to revise a charter proposal made by petition.

### 7. CHARTER CHANGE RE CREATION OF INDEPENDENT COMMUNITY CONTROL BOARD

"Shall the Charter of the City of Burlington, Acts of 1949, No. 298, as amended, be further amended by amending Title VI, Article 64, Section 189, and Title VI, Article 65, Section 190 to remove the existing Article 65, Removal or Suspension, Section 190, Chief may remove member for cause; hearing, and replace it with language providing for an independent department of the city, comprised of an independent community police department control board with the power to review and make findings on any incident or complaint against a police officer, including the chief, and to discipline or remove a member of the police force, including the chief, whenever a member of said force is found to have become incompetent, inefficient or incapable from any cause, is or has been negligent or derelict in their official duty, is guilty of any misconduct in their private or official life, or for any other just cause?

The independent community control board shall consist of no less than seven (7) and no more than nine (9) members, selected by an appointment committee established by the City Council with Mayor presiding and consisting of: representatives selected by seven (7) community-based organizations; the Director of the Racial Equity Inclusion & Belonging Office, or their designee; and, one (1) City Councilor. No member of the independent community control board shall have ever been employed by a law enforcement agency. For time spent working on the independent community control board, members shall be entitled to fair compensation no less than that set by the city's livable wage ordinance.

The independent community control board shall have the power to establish and maintain an investigative office, which shall have an appropriation adequate to conduct the work of the office, may employ a director, and may hire other staff or consultants, including independent legal counsel. The investigative office shall have the power to receive, investigate, and present to the independent community control board any complaint against a police officer, and to issue subpoenas to produce documents or compel testimony."

#### 8. CHARTER CHANGE RE PROPOSITION ZERO

"Shall the Charter of the City of Burlington, Acts of 1949, No. 298, as amended, be further amended to grant voters additional powers to, by petition, initiate non-binding ballot questions, binding initiatives proposing ordinances, and referenda repealing ordinances, provided that, in the case of binding initiatives and referenda, the City Council fails to adopt or repeal the ordinance at issue?"

Miro Weinberger, Mayor

Publication Dates: Seven Days, \_\_\_\_\_\_, 2023

Burlington, Vermont